

### **REMARKS**

This amendment is in response to the Non-final Office Action of September 24, 2009. New claims 47 and 48 have been added. Claims 1-18, 20, 22, 24-28, 31-36, 38 and 45-48 are currently pending. No new matter has been added.

#### **§ 102 and § 103 Rejections**

Claims 1-4, 9-12, 16-18, 20, and 26 were rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,792,055 to McKinnon ("McKinnon"). Claims 25, 33, and 38 were rejected under 35 U.S.C. 103(a) as being unpatentable over McKinnon. Claims 5-8 were rejected under 35 U.S.C. 103(a) as being unpatentable over McKinnon, further in view of US Patent No. 5,868,674 to Glowinski et al. ("Glowinski"). Claims 13-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over McKinnon, further in view of US Patent No. 6,675,033 to Lardo et al. ("Lardo"). Claims 22, 24, 27-28, 31, 34-36, and 45-46 were rejected under 35 U.S.C. 103(a) as being unpatentable over McKinnon in view of Lardo. Claim 32 was rejected under 35 U.S.C. 103(a) as being unpatentable over McKinnon in view of Lardo, and further in view of US Patent No. 7,273,483 to Wiener et al. ("Wiener"). The Applicants traverse these rejections.

Claim 1 recites an MRI guidewire having an inner conductor and an outer conductor, a proximal end of the guidewire includes an outer conductor contact coupled electrically to the outer conductor, an extended section of the inner conductor extends proximally beyond the outer conductor contact and includes an inner conductor contact coupled electrically to the inner conductor.

Claim 25 recites an MRI compatible medical coaxial cable having an inner conductor and an outer conductor, a proximal end of the guidewire includes an outer conductor contact coupled electrically to the outer conductor, an extended section of the inner conductor extends proximally beyond the outer conductor contact and includes an inner conductor contact coupled electrically to the inner conductor.

There is no teaching or suggestion in McKinnon of any portion of either an inner conductor or an inner conductor contact extending proximally beyond the outer conductor contact. McKinnon discloses a medical appliance 9 for use in magnetic resonance imaging procedures, wherein the medical appliance 9 includes a guidewire formed by a coaxial cable acting as an antenna in a magnetic resonance imaging system (McKinnon, Abstract). McKinnon further discloses that the proximal end of the coaxial cable is for connection to a standard antenna input of control station 12, as shown schematically in Figure 1 [of McKinnon] (McKinnon, col. 4 lines 63-65). Standard coaxial cable male connectors do not have extended sections of inner conductors that extend beyond outer conductor contacts.

The Office Action, however, asserts that col. 4 line 57 through col. 5 line 27, as well as Figures 1-3, of McKinnon disclose an inner conductor extending beyond the outer conductor (Office Action, pages 3 and 8). Figures 1-3 of McKinnon are provided below.

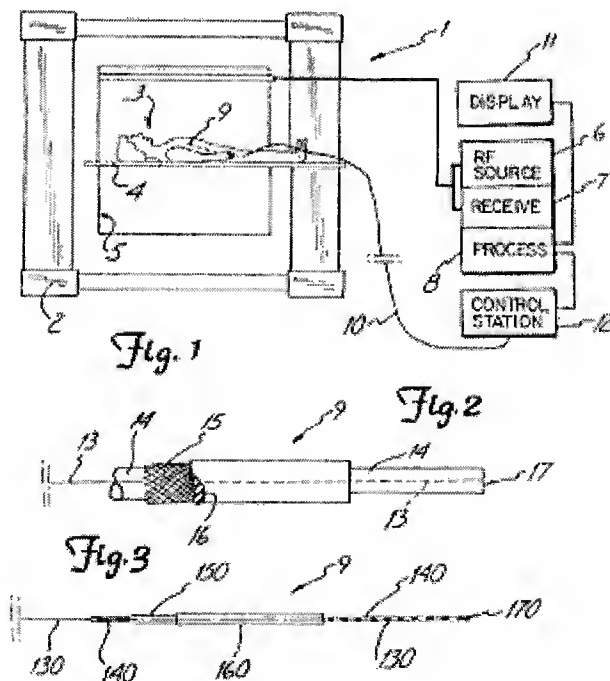


Figure 1 of McKinnon is schematic and does not show the individual conductors of the appliance 9. Figures 2 and 3 of McKinnon show two embodiments of distal ends 17, 170 of the

distal appliance 9. As explained in the first two paragraphs of the portions of McKinnon cited in the Office Action (col. 4 line 54 through col. 5 line 9), the proximal ends of the embodiments of the appliance 9 shown in Figures 1 and 2 are not shown. In Figures 2 and 3, the outer portions of the left sides of the appliance 9 are removed to show the layers of conductors and insulation. Clearly, both the central conductor 13, 130 and the outer conductor 15, 150 connect to the conductor 10, which, as shown in Figure 1 and described in McKinnon, includes a “standard” antenna input (McKinnon, col. 4 lines 63-65). Thus, the central conductor 13, 130 cannot extend beyond the outer conductor 15, 150.

The cited portions of McKinnon go on to teach that there may be variations of the embodiments of Figures 1 and 2. McKinnon recites “[f]or instance, the outer conductor and insulator, 15-16 resp. 150-160, need not be removed from a portion of the distal end 17 resp. 170. Similarly, the outer conductor and insulator may be removed a far greater length from the distal end 17 resp. 170, and it is also possible to have them removed to the proximal end of the guidewire, outside of the patient” (McKinnon, col. 5 lines 11-17).

Thus, McKinnon teaches the possibility of removing a portion of the outer conductor and insulation “to” the proximal end of the guidewire. This appears to suggest that the outer conductor and insulation are removed toward the proximal end. The use of the phrase “removed to” at col. 5, lines 15-17 is not consistent with the assertion in the Office Action. If a proximal portion of the outer conductor and insulation were to be removed as asserted by the Office Action, the proper phrasing would have been “removed from the proximal end of the guidewire,” but this is not what McKinnon teaches. There is no teaching or suggestion in the recited portion of McKinnon of removing any of the outer conductor and insulation “from” the proximal end. Therefore, McKinnon does not ever teach or suggest the inner conductor extending proximally beyond the outer conductor.

New claims 47 and 48 additionally recite that the inner conductive contact has approximately the same diameter as the outer conductor contact. McKinnon does not teach or suggest an inner conductive contact and an outer conductor contact having approximately the same

diameter. As discussed above, McKinnon discloses that the proximal end of the coaxial cable is for connection to a standard antenna input of control station 12, as shown schematically in Figure 1 [of McKinnon] (McKinnon, col. 4 lines 63-65). Thus, McKinnon teaches that the proximal end of the disclosed guidewire is configured and arranged to be received by a standard female coaxial cable connector. Therefore, the proximal end of the guidewire of McKinnon is a standard coaxial cable male connector. Standard coaxial cable male connectors do not include an inner conductive contact and an outer conductor contact having approximately the same diameter, as recited in new claims 47 and 48.

Accordingly, McKinnon does not teach or suggest all of the elements of claims 1 and 25. The additional cited references fail to cure the deficiencies of McKinnon. For at least these reasons claims 1 and 25, as well as claims 2-18, 20, 22, 24, 26-28, 31-36, 38, and 45-48 which depend therefrom, are patentable over the cited references. The Applicant respectfully requests withdrawal of the rejections of these claims.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If the Examiner has any questions or concerns, the Applicant(s) encourage(s) the Examiner to contact the Applicants'('s) representative, Patrick Turner, by telephone to discuss the matter.

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Respectfully submitted,

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